

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3864
ANSWERED ON:04.09.2012
FOREIGNER INVOLVED IN PROSTITUTION
Sivasami Shri C.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has asked all the States to start deportation proceedings against any foreigner involved in prostitution rather than prosecution in a court;
- (b) if so, the details thereof and the reasons therefor; and
- (c) the response received by the Union Government from the State Governments in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) to (c): No, Madam. However, Ministry of Home Affairs vide its letter dated 1.5.2012 has advised all State Governments/UT Administrations in line with the SAARC convention which advocates a victim-centric approach. The advisory requires that the police authorities carry out a detailed interrogation/investigation immediately after a foreign national is apprehended in connection with human trafficking to ascertain whether the person is a victim or a trafficker. If the investigation reveals that the woman or child is a victim, the State Government/UT Administration may not file a charge sheet against her. If the charge sheet has already been filed under the Foreigners Act and other relevant laws of the land, steps may be taken to withdraw the case from prosecution so far as the victim is concerned. Immediate action may be taken to furnish the details of such victims to the Ministry of External Affairs (Consular Division), Patiala House, New Delhi so as to ensure that the person concerned is repatriated to the country of his/her origin through diplomatic channels.